

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 13

Raymond Graham and
Semone Graham

Case No. 14-41044-nhl

Debtors.

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**ORDER VOIDING JUNIOR MORTGAGE LIEN
AND RECLASSIFYING CLAIM AS WHOLLY UNSECURED**

Upon the motion filed on June 4, 2014 (the “Motion”), by Raymond Graham and Semone Graham (the “Debtors”), for an order determining that the second mortgage lien held by J.P. Morgan Chace N.A. (with any subsequent successor or assign, the “Creditor”) on the Debtors’ property located at 4814 Avenue M, Brooklyn, NY 11234 (the “Property”) is void as being wholly unsecured under 11 U.S.C. §§ 506(a) and 1322, and reclassifying the secured claim of the Creditor in this case as an unsecured claim; and no opposition to the Motion having been filed; and upon the record of the hearing held on July 2, 2014, at which Bruce Feinstein, Esq. appeared on behalf of the Debtors; and the Debtors having settled a proposed order granting the requested relief; and no opposition having been interposed; and, after due deliberation, it appearing that the amount of the senior debt secured by the Property exceeds the value of the Property and that there is no collateral value in the Property to secure the Debtors’ obligations to the Creditor under the Creditor’s mortgage on the Property; and good and sufficient cause appearing; it is hereby

ORDERED, that the Motion is granted to the extent herein; and it is further

ORDERED, that any claim filed by the Creditor against the Debtors and the Debtors' estate on account of its junior mortgage lien on the Property is reclassified as an allowed unsecured claim for the purposes of this Chapter 13 Case; and it is further

ORDERED, that upon the completion by the Debtors of the payments under the Chapter 13 Plan and the filing by the Chapter 13 Trustee of the Certificate of Completed Chapter 13 Plan, said lien is voided, released, and discharged; and it is further

ORDERED, that upon the filing by the Chapter 13 Trustee of the Certificate of Completed Chapter 13 Plan, the Clerk of Queens County is directed to mark on its records that the mortgage lien of Creditor pertaining to the Debtor's Property is void pursuant Bankruptcy Court Order; and it is further

ORDERED, that in the event that the above-captioned bankruptcy case is dismissed or converted to one under Chapter 7, this Order is null and the Creditor's lien against the Property remains intact.

Dated: October 6, 2014
Brooklyn, New York



Nancy Hershey Lord

Nancy Hershey Lord
United States Bankruptcy Judge